

6132

Vol. m89 Page 18365

TRUSTEE'S AFFIDAVIT AS TO NON-OCCUPANCY

STATE OF OREGON,

County of KLAMATH

ss.

I, NEAL G. BUCHANAN

being first duly sworn, depose, say and certify that:

I am the Successor
Larry V. Miller and Holly M. Thompson

trustee in that certain trust deed executed and delivered by

to Mountain Title Company of Klamath County

as grantor

in which Harold Franklin & Imogene J. Franklin, husband and wife

as trustee,

is beneficiary, recorded on August 16,

1988, in the mortgage records of Klamath

County, Oregon, in book/reel/volume No. M-88

at page 13256

or as fee/title/instrument/microfilm/recep-

tion No. (indicate which), covering the following described real property situated in said county:

A portion of the SE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 25, Township 24 South, Range 8
East of the Willamette Meridian, Klamath County, Oregon, more
particularly described as follows:

Beginning at a point 220 feet West and 690 feet North of the SE
corner of SE $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 25, Township 24 South, Range 8
East of the Willamette Meridian; thence North parallel with East line
of said SE $\frac{1}{4}$ of the NE $\frac{1}{4}$ 200 feet; thence West parallel with North line
of said SE $\frac{1}{4}$ of the NE $\frac{1}{4}$ 220 feet; thence South parallel with East line
of said SE $\frac{1}{4}$ of the NE $\frac{1}{4}$ 200 feet; thence East parallel with South line
of said SE $\frac{1}{4}$ of the NE $\frac{1}{4}$ 220 feet; to the point of beginning.

I hereby certify that on June 2

1989, the above described real property was not occupied.

The word "trustee" as used in this affidavit means any successor trustee to the trustee named in the trust deed
first mentioned above.

Neal G. Buchanan

Trustee

Subscribed, sworn to and acknowledged before me this 12 day of September, 19 89

(SEAL)

VIVIENNE I. HUSTEAD
NOTARY PUBLIC-OREGON

My Commission Expires

Vivienne I. Hustead
Notary Public for Oregon

My Commission expires: 4-11-93

TRUSTEE'S AFFIDAVIT
AS TO NON-OCCUPANCY

RE: Trust Deed from
Larry V. Miller & Holly M. Thompson
to Mountain Title Company of
Klamath County

Grantor

to

NEAL G. BUCHANAN

Successor Trustee

AFTER RECORDING RETURN TO
NEAL G. BUCHANAN
Attorney at Law
601 Main St., Suite 215
Klamath Falls, OR 97601

(DON'T USE THIS
SPACE; RESERVED
FOR RECORDING
LABEL IN COUNTIES
WHERE USED.)

STATE OF OREGON,
County of KLAMATH

ss.

I certify that the within instrument
was received for record on the 12 day
of September, 19 89,
at 12 o'clock P.M., and recorded
in book/reel/volume No. 13256 on
page 13256 or as fee/title/instru-
ment/microfilm/reception No. 13256

Record of Mortgages of said County.
Witness my hand and seal of
County affixed.

NAME

TITLE

By

Deputy

OA

18966

CERTIFICATE OF NON-MILITARY SERVICE

STATE OF OREGON,

County of KLAMATH

ss.

THIS IS TO CERTIFY That I am the Successor Trustee
beneficiary in that certain trust deed in which LARRY V. MILLER and HOLLY M. THOMPSON
as grantor, conveyed to MOUNTAIN TITLE COMPANY OF
KLAMATH COUNTY, as trustee, certain real property in Klamath County, Oregon;
which said trust deed was dated August 3rd, 1988, and recorded August 16, 1988,
in the mortgage records of said county, in book/reel/volume M-88 at page 13256 or as fee/file/instrument/
microfilm/reception No. 90418 (indicate which); thereafter a notice of default with respect to said trust deed
was recorded May 26, 1989, in book/reel/volume M-89 at page 9214 of said
mortgage records, or as fee/file/instrument/microfilm/reception No. 664 (indicate which); thereafter the
said trust deed was duly foreclosed by advertisement and sale and the real property covered by said trust deed was
sold at the trustee's sale on October 6, 1989; I reasonably believe at no time during the period of
three months and one day immediately preceding the day of said sale and including the day thereof, was the real prop-
erty described in and covered by said trust deed, or any interest therein, owned by a person in the military service as
defined in Article I of the "Soldiers' and Sailors' Civil Relief Act of 1940," as amended.

In construing this certificate the masculine includes the feminine, the singular includes the plural, the word
"grantor" includes any successor in interest to the grantor, the word "trustee" includes any successor trustee, and the
word "beneficiary" includes any successor in interest to the beneficiary named in said trust deed.

Neal G. Buchanan
NEAL G. BUCHANAN

STATE OF OREGON,

County of Klamath

ss.

This instrument was acknowledged before me on October 6, 1989

by Neal G. Buchanan

(SEAL)

VIVIERNE I. HUSTEAD
NOTARY PUBLIC-OREGON

My Commission Expires _____

Vivienne I. Hustead
Notary Public for Oregon
My commission expires 4-11-93

**CERTIFICATE
OF NON-MILITARY SERVICE**

Re Trust Deed from
LARRY V. MILLER and
HOLLY M. THOMPSON Grantor
to
MOUNTAIN TITLE COMPANY
OF KLAMATH COUNTY Trustee

AFTER RECORDING RETURN TO _____

DON'T USE THIS
SPACE; RESERVED
FOR RECORDING
LABEL IN COUNTIES
WHERE USED.

STATE OF OREGON

County of _____

I certify that the within instrument
was received for record on the _____ day
of _____, 19____, at
_____ o'clock _____ M., and recorded
in book/reel/volume _____ on page
_____, or as fee/file/instrument/
microfilm/reception No. _____,
of the _____
Records of said County.

NAME

TITLE

By _____ Deputy

AFFIDAVIT OF SUPPLEMENTAL MAILING TRUSTEE'S NOTICE OF SALE

STATE OF OREGON, County of Klamath)ss:

I, NEAL G. BUCHANAN, being first duly sworn, depose, and say and certify that:

At all times hereinafter mentioned I was and now am a resident of the State of Oregon, a competent person over the age of eighteen years and not the beneficiary's successor in interest named in the attached original notice of sale given under the terms of that certain deed described in said notice.

After the completion of those certain mailings and services referred to in the contemporaneously filed documents, it was discovered that a State Tax Warrant had been recorded at Vol. M89, page 14205 on August 2, 1989.


Therefore, in accordance with ORS 86.742 (1), I gave notice of the sale of the real property described in the attached notice of sale by mailing a copy thereof by both First Class and Certified Mail with Return Receipt Requested to the following at their respective last known address, to-wit:

OREGON DEPARTMENT OF REVENUE
Linda Huetson, Revenue Agent
955 Center Street, Room 353
Salem, OR 97310

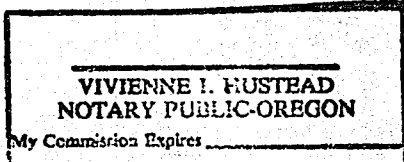
Each of the notices so mailed was certified to be a true copy of the original notice of sale by the undersigned as attorney for the trustee named in said notice; each such copy was contained in a sealed envelope, with postage thereon fully prepaid, and was deposited by me in the United States post office at Klamath Falls, Oregon, on September 6, 1989. With respect to each person listed above, one such notice was mailed with postage thereon sufficient for first class delivery to the address indicated, and another such notice was mailed with a proper form to request and obtain a return receipt and postage thereon in the amount sufficient to accomplish the same. Each of said notices was mailed after the notice of default and election sell described in said note of sale was recorded.

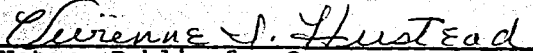
The mailing forwarded by certified mail was received by the Oregon Department of Revenue (at the State mail room) on September 7, 1989, as is more fully reflected by the return receipt, a true copy of which is attached hereto as Exhibit A.

As used herein, the singular includes the plural, trustee includes successor trustee, and person includes corporation and any other legal or commercial entity.


NEAL G. BUCHANAN

SUBSCRIBED AND SWORN to before me SEPTEMBER 12th, 1989.




Notary Public for Oregon
My Commission Expires: 4-11-93

**AFFIDAVIT OF SUPPLEMENTAL MAILING
TRUSTEE'S NOTICE OF SALE**

RE: Trust Deed from
Larry V. Miller & Holly M. Thompson
to Mountain Title Company of
Klamath County **Grantor**

to
NEAL G. BUCHANAN

Successor Trustee

AFTER RECORDING RETURN TO
NEAL G. BUCHANAN
Attorney at Law
601 Main St., Suite 215
Klamath Falls, OR 97601

DO NOT USE THIS
 SPACE: RESERVED
 FOR RECORDING
 LABEL IN COUNTIES
 WHERE USED. I

STATE OF OREGON,

County of } ss.

I certify that the within instrument
 was received for record on the day
 of 19.....,
 at o'clock M., and recorded
 in book/reel/volume No. on
 page or as lee/file/instru-
 ment/microfilm/reception No.
 Record of Mortgages of said County.

Witness my hand and seal of
 County affixed.

NAME

TITLE

By Deputy

Instructions: Complete items 1 and 2 when additional services are desired, and complete items 3 and 4.
 Put your address in the "RETURN TO" Space on the reverse side. Failure to do this will prevent this card from being returned to you. The return receipt fee will provide you the name of the person delivered to and the date of delivery. For additional fees the following services are available. Consult postmaster for rates and check box(es) for additional service(s) requested.

1. ☒ Show to whom delivered, date, and addressee's address. 2. ☐ Restricted Delivery (Extra charge)

3. Article Addressed to: OREGON DEPARTMENT OF REVENUE 955 Center Street, Room 353 Salem, OR 97310 ATTN: Linda Huetson, Revenue Agent	4. Article Number P 115 928 691 Type of Service: <input checked="" type="checkbox"/> Registered <input type="checkbox"/> Insured <input type="checkbox"/> Certified <input type="checkbox"/> COD <input type="checkbox"/> Express Mail <input type="checkbox"/> Return Receipt for Merchandise Always obtain signature of addressee or agent and DATE DELIVERED.
5. Signature - Address X 6. Signature - Agent X <i>[Signature]</i> 7. Date of Delivery SEP 7 1989	8. Addressee's Address (ONLY if requested and fee paid) Received by State Mailroom Agent at Main Post Office Franklin # 89-038

PS Form 3811, Mar. 1988 * U.S.G.P.O. 1988-212-885 DOMESTIC RETURN RECEIPT

EXHIBIT A

18970

59

being first duly sworn, depose and say that
I am the principal clerk of the publisher of
the Herald and News

a newspaper of general circulation, as defined by Chapter 193 ORS, printed and published at Klamath Falls in the aforesaid county and state; that the

Legal #974

Trustee's Notice of Sale

a printed copy of which is hereto annexed,
was published in the entire issue of said
newspaper for Four

(—4— insertion s) in the following issue s: —

August 9, 1989

August 16 1980

August 23, 1989

August 30, 1989

Total Cost: \$247.52

Dianna Z Gyrd

Subscribed and sworn to before me this 30
day of August 1989

Keta Barker
Notary Public of Oregon

My commission expires June 25 1991

(COPY OF NOTICE TO BE PASTED HERE)

TRUSTEE'S NOTICE OF SALE

Notice is hereby given that certain trust deed made by LARRY W. MILLER and HOLLY M. HICKSON, its co-grantors in common, but first as separate and distinct, to AMOUNTAIN TITLE COMPANY OF KIAMATH COUNTY (INEAL G. MILLER, its successor), trustee, HAROLD FRANKLIN, husband and wife, as grantees, recorded August 6, 1988, recorded at Kiamath County, Oregon, in volume No. 7088 at page 10, and amended by supplemental microfilm recording dated 8/16/88 at Kiamath County, Oregon, covering the following interest in real property situated in said county, and to-wit: A portion of the SE1/4 NE1/4 of Section 23, Township 34 South, Range 10 East of the Willamette Meridian, Klamath County, Oregon, more particularly described as follows:

Beginning at a point 230 feet West and 690 feet North of the SSE corner of the SE1/4 of the NE1/4 of Section 23, Township 34 South, Range 10 East of the Willamette Meridian; thence North parallel with the East line of said SE1/4 of the NE1/4 of 200' SE1/4 of the NE1/4 of 220' feet; thence South parallel with East line of said SE1/4 of the NE1/4 of 200' feet; thence East parallel with South line of said SE1/4 of the NE1/4 of 220' feet; to the point of beginning.

Said beneficiaries and their trustees have elected to sell the said real property, so fully, the obligations secured by said trust deed, and a notice of default has been recorded pursuant to Oregon Revised Statute ORS 73(5); the default for which the foreclosure is made is grantor's failure to pay within due the following sums:

A. The monthly payments due January 15, 1989, in the amount of \$117.72 together with a like amount due the 5th day of each month thereafter.

B. Real property taxes for the tax year 1988-89 in the amount of \$62.53.

C. Failure of undergrantee the beneficiary, has deposited all sums owing on the obligation secured by said trust deed immediately due and payable and will continue to do so, to-wit:

A. \$5,720.07 plus interest on said sum at the rate of 10% per annum from 1/11/89.

D. Real property taxes for tax year 1988-89 in the amount of \$62.53 interest.

WHEREFORE, notice hereby is given that the undersigned trustee will, on October 6, 1989, at the hour of 1:00 o'clock P.M., in accord with the standards established by ORS 187.10, at 401 1/2 Ave. Street Suite 215 in the City of Klamath Falls, County of Klamath, State of Oregon, sell of public auction to the highest bidder for cash the interest in the said described real property which the grantor had or had power to convey at the time of the execution by him of the said trust deed, together with any interest which the grantor or his successors in interest acquired after the execution of said trust deed, to satisfy the foregoing obligations thereby secured; and the costs and expenses of sale, including a reasonable charge by the trustee. Notice is further given that any person named in ORS 63.75 has the right, at any time prior to five days before the date set for the sale, to have this foreclosure proceeding dismissed and the trust deed released by payment to the beneficiary of the entire amount then due (other than such portion as the principal was not then to be due had no default occurred) and by curing any other person complained of herein that is capable of being cured by tendering the performance required under the obligation or trust deed, and in addition to paying said sums or tendering the performance necessary to cure the default, by paying all costs and expenses actually incurred in enforcing the obligation and trust deed together with attorneys' and attorney's fees not exceeding the amounts provided by said ORS 63.75.

IN WITNESS WHEREOF, I have hereunto set my hand and the seal of said Trustee, Harold Franklin, this 24th day of September, 1989.

HAROLD FRANKLIN, Trustee

AFFIDAVIT OF MAILING TRUSTEE'S NOTICE OF SALE
STATE OF OREGON, County of Klamath, ss:

18971

I, NEAL G. BUCHANAN

being first duly sworn, depose, and say and certify that:
At all times hereinafter mentioned I was and now am a resident of the State of Oregon, a competent person over the age of eighteen years and not the beneficiary or beneficiary's successor in interest named in the attached original notice of sale given under the terms of that certain deed described in said notice.
I gave notice of the sale of the real property described in the attached notice of sale by mailing a copy thereof by both first class and certified mail with return receipt requested to each of the following named persons (or their legal representatives, where so indicated) at their respective last known addresses, to-wit:

NAME

ADDRESS

LARRY V. MILLER
HOLLY M. THOMPSON

P. O. Box 288
Crescent, OR 97733

Said persons include (a) the grantor in the trust deed, (b) any successor in interest to the grantor whose interest appears of record or of whose interest the trustee or the beneficiary has actual notice, (c) any person, including the Department of Revenue or any other state agency, having a lien or interest subsequent to the trust deed if the lien or interest appears of record or the beneficiary has actual notice of the lien or interest, and (d) any person requesting notice, as required by ORS 86.785.*

Each of the notices so mailed was certified to be a true copy of the original notice of sale by NEAL G. BUCHANAN

NEAL G. BUCHANAN, attorney for the trustee named in said notice; each such copy was contained in a sealed envelope, with postage thereon fully prepaid, and was deposited by me in the United States post office at Klamath Falls, Oregon, on May 26, 1989. With respect to each person listed above, one such notice was mailed with postage thereon sufficient for first class delivery to the address indicated, and another such notice was mailed with a proper form to request and obtain a return receipt and postage thereon in the amount sufficient to accomplish the same. Each of said notices was mailed after the notice of default and election to sell described in said notice of sale was recorded.

As used herein, the singular includes the plural, trustee includes successor trustee, and person includes corporation and any other legal or commercial entity.

Subscribed and sworn to before me this 26 day of May, 1989.
VIVIENNE I. HUSTEAD
NOTARY PUBLIC-OREGON
My Commission Expires 4-11-93

Notary Public for Oregon. My commission expires 4-11-93.

PUBLISHER'S NOTE: An original notice of the sale, bearing the trustee's actual signature, should be attached to the foregoing affidavit.

**AFFIDAVIT OF MAILING TRUSTEE'S
NOTICE OF SALE**

RE: Trust Deed from
LARRY V. MILLER and HOLLY M.
THOMPSON

Grantor

Mountain Title Co. of Klamath Co.
Neal G. Buchanan as

Successor Trustee

AFTER RECORDING RETURN TO

NEAL G. BUCHANAN
Attorney at Law
601 Main Street, Suite 215
Klamath Falls, OR 97601

(DON'T USE THIS
SPACE; RESERVED
FOR RECORDING
LABEL IN COUN-
TIES WHERE
USED.)

STATE OF OREGON,
County of _____ } ss.

I certify that the within instrument was received for record on the _____ day of _____, 19____, at _____ o'clock _____ M., and recorded in book/reel/volume No. _____ on page _____ or as fee/file/instrument/microfilm/reception No. _____, Record of Mortgages of said County.

Witness my hand and seal of County affixed.

NAME

TITLE

By _____ Deputy

18972

INSTRUCTIONS FOR SERVICE OF TRUSTEE'S NOTICE OF SALE UPON OCCUPANT AND PROOF OF SERVICE

TRUSTEE'S INSTRUCTIONS to the person who serves the Trustee's Notice of Sale attached hereto:

STATE OF OREGON

County of Klamath

SS.

I, the undersigned, being first duly sworn, depose and say:
I am the Trustee or attorney for the Trustee in the trust deed described in the attached Trustee's Notice of Sale.

You are hereby directed to serve the Trustee's Notice of Sale in the manner in which a summons is served pursuant to ORCP 7D.(2) and 7D.(3), upon the occupant of the property described in said Notice of Sale.

The name of the person to be served, if known, and the property address of the property described in said trust deed, are as follows:

NAME OF PERSON TO BE SERVED
(If unknown, so state)

PROPERTY ADDRESS

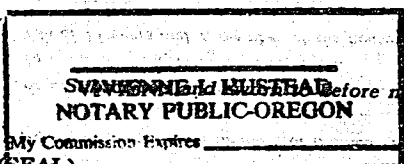
Occupant

P.O. Box 288
Crescent, OR 97733
(Just off Crescent Cutoff Road)

If the occupant is indicated as "unknown", or if you find the property at said address to be occupied by other than the person named, then you are instructed to serve the person or persons whom you find to be occupying said property.

Service should be made by June 6, 1989, which is 120 days before the date fixed for the sale in the attached notice. If you have not made service by that date, and the property appears occupied, persist in making service until it has been accomplished.

As used herein, the singular includes the plural, trustee includes successor trustee, and person includes corporation and any other legal or commercial entity.



My Commission Expires 5-11-92

SUCCESSOR

~~XXXXXX~~ Trustee

Subscribed and sworn to before me this 26 day of May, 1989

Notary Public for Oregon. My commission expires: 5-11-92

PUBLISHER'S NOTE: An original notice of the sale, bearing the trustee's actual signature, should be attached to the foregoing affidavit.

TRUSTEE'S INSTRUCTIONS AND PROOF OF SERVICE UPON OCCUPANT OF TRUSTEE'S NOTICE OF SALE

(120-Day Notice per ORS 86.750(1))

RE: Trust Deed from
LARRY V. MILLER and HOLLY M. THOMPSON

Grantor

TO

Mountain Title Co. of Klamath County
Neal G. Buchanan as successor
Trustee

AFTER RECORDING RETURN TO

Neal G. Buchanan
Attorney at Law
601 Main St., Suite 215
Klamath Falls, OR 97601

SPACE RESERVED
FOR
RECORDER'S USE

STATE OF OREGON,
County of _____ } ss.

I certify that the within instrument was received for record on the _____ day of _____, 19____, at _____ o'clock _____ M., and recorded in book/reel/volume No. _____ on page _____ or as fee/file/instrument/microfilm/reception No. _____, Record of Mortgages of said County. Witness my hand and seal of County affixed.

By _____ TITLE Deputy

JAN 19 1989 08 28901

STATE OF OREGON

PROOF OF SERVICE

18973

I, heretby, certify and swear that at all times herein mentioned I was and now am a competent person 18 years of age or older and a resident of the state wherein the service hereinafter set forth was made; that I am not the beneficiary or trustee named in the original trustee's Notice of Sale attached hereto; nor the successor of either, nor an officer, director, employee of or attorney for the beneficiary or trustee, or successor of either, corporate or otherwise.

I made service of the attached original Trustee's Notice of Sale upon the individuals and other legal entities to be served, named below, by delivering true copies of said Notice of Sale certified to be such by the attorney for the trustee or successor trustee, as follows:

Upon _____, Personal Service Upon Individual(s)
at _____, by delivering such true copy to him/her, personally and in person,
on _____, 19____, at _____ o'clock ____M.
Upon _____, by delivering such true copy to him/her, personally and in person,
at _____, on _____, 19____, at _____ o'clock ____M.

Upon _____, Substituted Service Upon Individual(s)
or usual place of abode, to-wit: _____, by delivering such true copy at his/her dwelling house
to _____, who is a person over the
age of 14 years and a member of the household of the person served on _____, 19____, at _____ o'clock ____M.
Upon _____, by delivering such true copy at his/her dwelling house
or usual place of abode, to-wit: _____, who is a person over the
age of 14 years and a member of the household of the person served on _____, 19____, at _____ o'clock ____M.

Upon _____, Office Service Upon Individual(s)
business at _____, at the office which he/she maintains for the conduct of
by leaving such true copy with _____, the person who
is apparently in charge, on _____, 19____, during normal working hours, at to-wit: _____ o'clock, ____M.

Upon _____, Service on Corporations, Limited Partnerships or Unincorporated Associations Subject to Suit Under a Common Name
(NAME OF CORPORATION, LIMITED PARTNERSHIP, ETC.)
(a) delivering such true copy, personally and in person, to _____, by
* _____ thereof; OR
(b) leaving such true copy with _____, the person who is apparently in charge of the
office of _____, who is at the *
* Specify registered agent, officer (by title), director, general partner, managing agent.
at _____, on _____, 19____, at _____ o'clock ____M.

EACH OF THE PERSONS, FIRMS AND CORPORATIONS SERVED BY ME IS THE IDENTICAL PERSON, FIRM OR CORPORATION NAMED IN THE TRUSTEE'S INSTRUCTIONS TO ME IN CONNECTION HEREWITH.
SERVICE WAS ATTEMPTED. THE PREMISES ARE VACATED AND PRESENTLY NOT OCCUPIED.

James L. Driffin
6-2-89

Subscribed and sworn to before me this _____ day of _____, 19____.

VIVIANE L. HUSTED
(SEAL) NOTARY PUBLIC-OREGON
My Commission Expires _____

Viviane L. Husted
Notary Public for Oregon
My commission expires 4-11-93

PUBLISHER'S NOTE: ORCP 7 D. (2) requires that the Notice of Sale be served in the manner in which a summons is served pursuant to Oregon Rules of Civil Procedure 7 D. (2) and 7 D. (3). The Proof of Service above contains most, but not all, of the methods of service. For example, this form does not include proof of service upon a minor or incapacitated person. See ORCP 7 D. (2) and 7 D. (3) for complete service methods on particular parties.

18974

INSTRUCTIONS FOR SERVICE OF TRUSTEE'S NOTICE OF SALE PURSUANT TO ORS 86.740 AND PROOF OF SERVICE

TRUSTEE'S INSTRUCTIONS to the person who serves the Trustee's Notice of Sale attached hereto:

STATE OF OREGON

County of Klamath

I, the undersigned, being first duly sworn, depose and say:

I am the Trustee or attorney for the Trustee in the trust deed described in the attached Trustee's Notice of Sale.

You are hereby directed to serve the Trustee's Notice of Sale in the manner in which a summons is served pursuant to ORCP 7D.(2) and 7D.(3), upon the following persons:

NAME OF PERSON TO BE SERVED

ADDRESS
P.O. Box 288
Crescent, OR 97733

LARRY V. MILLER and HOLLY M. THOMPSON

Said persons include (a) the grantor in the trust deed, (b) any successor in interest to the grantor whose interest appears of record or of whose interest the trustee or the beneficiary has actual notice, (c) any person, including the Department of Revenue or any other state agency, having a lien or interest subsequent to the trust deed if the lien or interest appears of record or the beneficiary has actual notice of the lien or interest, and (d) any person requesting notice, as required by ORS 86.785.

Service should be made by June 6, 1989, which is 120 days before the date fixed for the sale in the attached notice. If you have not made service by that date, but it appears that it is possible to effect service upon the above named person, persist in making service until it has been accomplished.

As used herein, the singular includes the plural, trustee includes successor trustee, and person includes corporation and any other legal or commercial entity.

Subscribed and sworn to before this

26

day of May

1989

VIVIENNE I. HUSTEAD
NOTARY PUBLIC-OREGON

My Commission Expires

Successor (Attorney) Trustee

Notary Public for Oregon

My commission expires:

4-11-93

PUBLISHER'S NOTE: An original notice of the sale, bearing the trustee's actual signature, should be attached to the foregoing affidavit.

TRUSTEE'S INSTRUCTIONS AND PROOF OF SERVICE OF TRUSTEE'S NOTICE OF SALE

RE: Trust Deed from
LARRY V. MILLER and HOLLY M. THOMPSON

Grantor

Mt. Title Co. of Klamath County
Neal G. Buchanan as successor

Trustee

AFTER RECORDING RETURN TO

Neal G. Buchanan
Attorney at Law
601 Main Street, Suite 215
Klamath Falls, OR 97601

SPACE RESERVED
FOR
RECORDER'S USE

STATE OF OREGON,

County of

I certify that the within instrument was received for record on the day of 1989, at o'clock M., and recorded in book/reel/volume No. on page or as fee/file/instrument/microfilm/reception No. Record of Mortgages of said County. Witness my hand and seal of County affixed.

By Deputy

BOOK OF RECORD

TRUSTEE'S NOTICE OF SALE

Reference is made to that certain trust deed made by LARRY V. MILLER and HOLLY M. THOMPSON, not as tenants in common, but right of survivorship MOUNTAIN TITLE COMPANY OF KLAMATH COUNTY (NEAL G. BUCHANAN, atty. as successor), as grantor, to in favor of HAROLD FRANKLIN & IMAGENE J. FRANKLIN, husband and wife, or survivor, trustee, dated August 3, 1988, recorded August 16, 1988, in the mortgage records of _____ County, Oregon, in book/reel/volume No. M88, at page 13256, or as fee/title/instrument/microfilm/reception No. 90418 (indicate which), covering the following described real property situated in said county and state, to-wit: A portion of the SE1/4 NE1/4 of Section 25, Township 24 South, Range 8 East of the Willamette Meridian, Klamath County, Oregon, more particularly described as follows:

Beginning at a point 220 feet West and 690 feet North of the SE corner of SE1/4 of the NE1/4 of Section 25, Township 24 South, Range 8 East of the Willamette Meridian; thence North parallel with East line of said SE1/4 of the NE1/4 200 feet; thence (Cont. on Reverse)

Both the beneficiary and the trustee have elected to sell the said real property to satisfy the obligations secured by said trust deed and a notice of default has been recorded pursuant to Oregon Revised Statutes 86.735(3); the default for which the foreclosure is made is grantor's failure to pay when due the following sums:

A. The monthly payments due January 15, 1989, in the amount of 131.73 together with a like amount due the 5th day of each month thereafter.

B. Real property taxes for the tax year 1988-89 in the amount of 162.53, plus interest.

By reason of said default the beneficiary has declared all sums owing on the obligation secured by said trust deed immediately due and payable, said sums being the following, to-wit:

A. \$5,920.07 plus interest on said sum at the rate of 10% per annum from 1/11/89.

B. Real property taxes for tax year 1988-89 in the amount of 162.53, plus interest.

WHEREFORE, notice hereby is given that the undersigned trustee will on October 6, 1989, at the hour of 1:40 o'clock, P.M., in accord with the standard of time established by ORS 187.110, at 601 Main Street, Suite 215

in the City of Klamath Falls, County of Klamath, State of Oregon, sell at public auction to the highest bidder for cash the interest in the said described real property which the grantor had or had power to convey at the time of the execution by him of the said trust deed, together with any interest which the grantor or his successors in interest acquired after the execution of said trust deed, to satisfy the foregoing obligations thereby secured and the costs and expenses of sale, including a reasonable charge by the trustee. Notice is further given that any person named in ORS 86.753 has the right, at any time prior to five days before the date last set for the sale, to have this foreclosure proceeding dismissed and the trust deed reinstated by payment to the beneficiary of the entire amount then due (other than such portion of the principal as would not then be due had no default occurred) and by curing any other default complained of herein that is capable of being cured by tendering the performance required under the obligation or trust deed, and in addition to paying said sums or tendering the performance necessary to cure the default, by paying all costs and expenses actually incurred in enforcing the obligation and trust deed, together with trustee's and attorney's fees not exceeding the amounts provided by said ORS 86.753.

In construing this notice, the masculine gender includes the feminine and the neuter; the singular includes the plural; the word "grantor" includes any successor in interest to the grantor as well as any other person owing an obligation, the performance of which is secured by said trust deed, and the words "trustee" and "beneficiary" include their respective successors in interest, if any.

DATED May 26, 1989

Successor Trustee

State of Oregon, County of _____ ss:

I, the undersigned, certify that I am the attorney or one of the attorneys for the above named trustee and that the foregoing is a complete and exact copy of the original trustee's notice of sale.

Attorney for said Trustee

If the foregoing is a copy to be served pursuant to ORS 86.740 or ORS 86.750(1), fill in opposite the name and address of party to be served.

SERVE:

18976

NOTICE OF SALE
JAMES V. MILLER and HOLLY M. THOMPSON, JOINT TENANTS
vs.
NEAL G. BUCHANAN, Plaintiff
vs.
KIMBERLY L. BUCHANAN, Defendant
West parallel with North line of said SE1/4 of the NE1/4 220 feet; thence South parallel with East line of said SE1/4 of the NE1/4 200 feet; thence East parallel with South line of said SE1/4 of the NE1/4 220 feet; to the point of beginning

STATE OF OREGON: COUNTY OF KLAMATH: ss.

Filed for record at request of Neal G. Buchanan the 6th day
of Oct. A.D. 1989 at 3:00 o'clock P.M., and duly recorded in Vol. M89
of Mortgages on Page 18965
By Evelyn Biehn County Clerk
Pauline Muller

FEE \$63.00

...the above described premises are to be sold at public auction to the highest bidder for cash on the 10th day of October 1989 at 10:00 o'clock A.M. at the County Courthouse in the City of Medford, Oregon. The terms of sale are cash and the purchaser shall take the premises subject to all existing liens and encumbrances. The undersigned, Evelyn Biehn, County Clerk of the County of Klamath, Oregon, do hereby certify that the foregoing is a true and correct copy of the original of record in the office of the County Clerk of the County of Klamath, Oregon.

Witness my hand and the seal of the County of Klamath, Oregon, this 6th day of October 1989.
Evelyn Biehn, County Clerk

Attest:
Pauline Muller, Deputy County Clerk